

(First Published in the Wichita Eagle on August 24, 2012)230100

Clean

07/14/2012

ORDINANCE NO. 49-331

AN ORDINANCE REPEALING THE ORIGINALS OF SECTIONS 21.04.10 THROUGH 21.04.310 OF THE CODE OF THE CITY OF WICHITA, KANSAS; CREATING SECTIONS 21.01.010, 21.01.020, 21.01.030, 21.01.040, 21.01.050, 21.01.060, 21.01.070, 21.01.080, 21.01.090, 21.01.100, 21.01.110, 21.01.120, 21.01.130, 21.01.140, 21.01.150, 21.01.160, 21.01.170, 21.01.180, 21.01.190, 21.01.200, 21.01.210, 21.01.220, 21.01.230, 21.01.240, 21.01.250, 21.01.260, 21.02.010, 21.02.020, 21.02.030, 21.02.040, 21.02.050, 21.02.060, 21.02.070, 21.02.080, 21.02.090, 21.02.100, 21.02.110, 21.02.120, 21.02.130, 21.02.140, 21.02.150, 21.02.160, 21.02.170, AND 21.02.180, 21.02.190, 21.02.200, 21.02.210, 21.02.220, 21.02.230, 21.02.240, OF THE CODE OF THE CITY OF WICHITA, KANSAS; ALL PERTAINING TO THE PLUMBING CODE OF THE CITY OF WICHITA, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF
WICHITA, KANSAS:

**SECTION 1. Section 21.01.010 of the Code of the City of Wichita, is hereby created
to read as follows:**

“Adopted. The Uniform Plumbing Code, published by the International Association of Plumbing and Mechanical Officials (IAPMO), 2006 Edition, including the Appendixes and Installation Standards thereto excluding Table No. 1-1: Plumbing Permit Fees, Part II of Chapter 7: Building Sewers, Sections 609.4, 908.0, 1014.0, 1015.0, Appendix F, Appendix K, Appendix L 6.0 and subparts thereof, Appendix L 7.0 and subparts thereof, and except for amendments set forth in this Title, is by reference incorporated herein and by this publication made a part of this Title as though set forth at length herein, and is hereby adopted as the Plumbing Code of the City of Wichita, Kansas.”

SECTION 2. Section 21.01.020 of the Code of the City of Wichita, is hereby created to read as follows:

“Title. Section 101.1 of the 2006 Uniform Plumbing Code shall be amended to read as follows: These regulations shall be known as the Plumbing Code of the City of Wichita, Kansas, and will be referred to herein as “this Code”.”

SECTION 3. Section 21.01.030 of the Code of the City of Wichita, is hereby created to read as follows:

“Schedule of fees. Section 103.4.1 of the Uniform Plumbing Code is amended to read as follows:

Permit issuance fee . . . \$20.00

Waste openings . . . \$5.00

Reconnect moved bldg . . . \$12.00

Backflow device . . . \$5.00

Interior rainwater drain . . . \$5.00

Gas meter loop / pressure test . . . \$5.00

Gas opening / Pressure test . . . \$5.00

Water service new or replacement . . . \$5.00

Water service (per mobile home) . . . \$5.00

Water heater new or replacement . . . \$15.00

Lawn sprinklers . . . \$10.00

Fire sprinklers (valuations) . . . \$ 18.00 per thousand

Standpipes (number of risers) . . . \$36.00

Water conditioner . . . \$5.00

Medical gas . . . \$5.00

Miscellaneous . . . \$5.00

Minimum charges for one permit . . . \$40.00

To obtain a permit, the applicant shall first file an application in writing on a form furnished by the administrative authority for that purpose. Provided, however, permit fees for one and two-family dwellings shall be established in accordance with the fee schedule set forth in accordance with section R108.2 of the International Residential Code. The valuation used to determine the amount of the permit fee to be used in relation to section R108.3 in the 2006 International Residential Code shall be seven percent of the total evaluation of a one or two-family dwelling as determined by the building official under authority of Section R108.2 of the International Residential Code. Payment shall be made by the general contractor at the time a building permit is issued. A separate plumbing permit is required if work requiring a permit and inspection as defined in this Code is begun more than one hundred and eighty (180) days from the date of the issuance of the building permit.

Expiration: every permit issued by the building official under the provisions of this Code shall expire by limitation and become null and void if the work authorized by such permit is not commenced within one hundred eighty (180) days from the date of such permit, or if work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of one hundred eighty (180) days or one hundred eighty (180) days have expired since an inspection, as required in Section 103.5.4 of this Code, was requested and such inspection was approved by the building official. Provided, that the building official may authorize the refunding of any fee paid hereunder which was

erroneously paid or collected and may authorize the refunding of not more than eighty (80) percent of the permit fee paid when no work has been done under a permit issued in accordance with this Code. No refund shall be paid except upon written application filed by the original permit holder not later than one hundred eighty (180) days after the date of fee payment.”

SECTION 4. Section 21.01.040 of the Code of the City of Wichita, is hereby created to read as follows:

“Investigation Fees. Section 103.4.4.2 of the Uniform Plumbing Code is amended to read as follows: Any person who commences work that requires a permit by this Code, before obtaining the necessary permit, shall be subject to a one hundred fifty dollar (\$150.00) investigation fee in addition to the required permit fees. If a contractor has a second investigation within a twelve (12) month period from the first investigation fee, the fee will be three hundred dollars (\$300.00) in addition to the required permit fees. If a contractor has a third investigation fee or any thereafter, within a twelve (12) month period, the fee shall be six hundred dollars (\$600.00) in addition to the required permit fees. In addition, if the contractor has three investigation fees within a twelve (12) month period, then the owner and Qualified Master must appear before the Board.”

SECTION 5. Section 21.01.050 of the Code of the City of Wichita, is hereby created to read as follows: Reserved.

SECTION 6. Section 21.01.060 of the Code of the City of Wichita, is hereby created to read as follows:

“Sleeves. Section 313.10.1 of the Uniform Plumbing Code is amended to read as follows: Sleeves shall be provided to protect all piping through concrete and masonry walls, and concrete floors. Exceptions: (1) Sleeves shall not be required where openings are drilled or bored and (2) Sleeves shall not be required for DWV pipes going through concrete basement floors or slab on grade.”

SECTION 7. Section 21.01.070 of the Code of the City of Wichita, is hereby created to read as follows:

“Solvent Cement Plastic Pipe Joints. Section 316.1.6 of the Uniform Plumbing Code is amended to read as follows: Plastic pipe and fittings designed to be joined by solvent cementing shall comply with appropriate IAPMO Installation Standards. ABS pipe and fittings shall be cleaned and then joined with solvent cement(s). CPVC pipe and fittings shall be cleaned and then joined with listed primer(s) and solvent cement(s). **Exception:** Listed solvent cements that do not require the use of primer shall be permitted for use with CPVC pipe and fittings, manufactured in accordance with Table 14-1, ½ inch through 2 inches in diameter. PVC pipe and fittings must be cleaned and joined with primer(s) and solvent cement(s). Non-pressure PVC pipe and fittings may be joined without primer by using a medium body, one step cement that must be listed by the cement manufacturer for use without primer and so stated on the label. A solvent cement transition joint between ABS and PVC building drain or building sewer shall be made using listed transition solvent cement.”

SECTION 8. Section 21.01.080 of the Code of the City of Wichita, is hereby created to read as follows:

“Test Gauges. Section 319.0 of the Uniform Plumbing Code is amended to read as follows: In performing the prescribed piping tests as required elsewhere in this Code, a spring type gauge may be used provided the required maximum capacity of the gauge used for the ten (10) psi, for fifteen (15) minutes test, be thirty (30) psi and the required maximum capacity of the spring type gauge used for the sixty (60) psi, for thirty (30) minutes test, be one hundred (100) psi.”

SECTION 9. Section 21.01.090 of the Code of the City of Wichita, is hereby created to read as follows:

“Cross Connection Control. Section 603.0 of the Uniform Plumbing Code is amended to read as follows: No person shall install any water-operated equipment or mechanism, or use any water treating chemical or substance, if it is found that such equipment, mechanism, chemical or substance may cause pollution or contamination of the domestic water supply. Such equipment or mechanism may be permitted only when equipped with an approved backflow prevention device. In addition to the general requirements of Section 603.0, Cross Connection Control, Backflow prevention devices and methods shall conform to Chapter 21.12, Cross-Connection, Backflow or Backsiphonage. Where, in any specific case, sections of this Code specify different material, methods of construction or requirements in conflict with other local laws or ordinance, the most restrictive shall govern.”

SECTION 10. Section 21.01.100 of the Code of the City of Wichita, is hereby created to read as follows: Reserved.

SECTION 11. Section 21.01.110 of the Code of the City of Wichita, is hereby created to read as follows:

“Protection from Lawn Sprinklers and Irrigation Systems. Section 603.4.6.1 of the Uniform Plumbing Code is amended to read as follows: Potable water supplies to systems having no pumps or connections for pumping equipment, and no chemical injection or provisions for chemical injection, shall be protected from backflow by one of the following devices: (1) Pressure vacuum breaker, (2) Spill-resistant vacuum breaker, or (3) Reduced-pressure backflow preventer.”

SECTION 12. Section 21.01.120 of the Code of the City of Wichita, is hereby created to read as follows:

“Backflow Device Downstream from a Potable Water Supply Pump. Section 603.4.6.3 of the Uniform Plumbing Code is amended to read as follows: Where systems have a device installed downstream of potable water supply pump or a potable water supply pump connection, the device shall be one of the following: (1) Pressure vacuum breaker, (2) Spill-resistant vacuum breaker, or (3) Reduced-pressure backflow preventer.”

SECTION 13. Section 21.01.130 of the Code of the City of Wichita, is hereby created to read as follows:

“Protection from Fire Systems. Section 603.4.16.3 of the Uniform Plumbing Code is amended to read as follows: Where contaminant chemicals (ethylene glycol, corrosion inhibitors, or other chemicals) are added to a fire protection system supplied from a potable water supply, the potable water system shall be protected by one of the following: (1) Reduced pressure backflow preventer, or (2) Reduced pressure detector assembly. Fire protection systems using low hazard materials must be protected with appropriate protection and clearly labeled per NFPA requirements with MSDS

documentation. Devices approved for low hazard potable water system protection include the following: (1) Double check backflow preventer, and (2) Double check detector assembly.”

SECTION 14. Section 21.01.140 of the Code of the City of Wichita, is hereby created to read as follows:

“Excessive Water Pressure. Section 608.2 of the Uniform Plumbing Code is amended to read as follows: Where static water pressure in the water supply piping is in the excess of one hundred (100) pounds per square inch (689kPa), an approved type pressure regulator preceded by an adequate strainer shall be installed and the static pressure reduced to one hundred (100) pounds per square inch (689kPa) or less. Such regulator(s) shall control the pressure to all water outlets in the building unless otherwise approved by the Authority Having Jurisdiction. Each such regulator and strainer shall be accessibly located aboveground or in a vault equipped with a properly sized and sloped bore-sighted drain to daylight, shall be protected from freezing, and shall have the strainer readily accessible for cleaning without removing the regulator or strainer body or disconnecting the supply piping. All pipe size determinations shall be based on one hundred percent (100%) of the reduced pressure when using Table 6-6.”

SECTION 15. Section 21.01.150 of the Code of the City of Wichita, is hereby created to read as follows: Reserved.

SECTION 16. Section 21.01.160 of the Code of the City of Wichita, is hereby created to read as follows:

“Installation. Section 609.1 of the Uniform Plumbing Code is amended to read as follows: All water piping shall be adequately supported in accordance with

Section 314.0 and to the satisfaction of the Authority Having Jurisdiction. Burred ends shall be reamed to the full bore of the pipe. Changes in direction shall be made by the appropriate use of the fittings, except that changes in direction in copper tubing may be made with bends having a radius of not less than six (6) diameters of the tubing, providing that such bends are made with bending equipment that does not deform or create a loss in the cross-sectional area of the tubing. Changes in direction are allowed with flexible pipe and tubing without fittings in accordance with the manufacturer's installation instructions. Provisions shall be made for expansion in hot water piping. The depth of a water service line shall be at least thirty-six (36) inches below finished grade, and shall be inspected before being covered. Such service shall be not less than five (5) feet from any tree on public property. The water service pipe shall be laid in a ditch separate from other underground pipes or conduits. There shall be not less than eighteen (18) inches of solid undisturbed earth between water service pipes and other underground pipes and conduits. All piping, equipment appurtenances and devices shall be installed in a workmanlike manner in conformity with the provisions and intent of the Code.

SECTION 17. Section 21.01.170 of the Code of the City of Wichita, is hereby created to read as follows:

“Vitrified Clay Pipe and Fittings. Section 701.1.3 of the Uniform Plumbing Code is amended to read as follows: No vitrified clay pipe or fittings shall be used aboveground or where pressurized by a pump or ejector. They shall be kept at least twelve (12) inches (305 mm) belowground. No vitrified clay pipe or fittings shall be allowed inside a building or structure. Vitrified clay pipe and fittings may be used for

repairs to existing clay pipe building sewers if the work conforms to Title 16 of the Code of the City of Wichita.”

SECTION 18. Section 21.01.180 of the Code of the City of Wichita, is hereby created to read as follows:

“Battery Drainage System. Section 703.3 of the Uniform Plumbing Code is amended to read as follows: A horizontal branch, soil or waste pipe, to which two (2) or more water closets (except blowout type), pedestal urinals, shower stalls or floor drains are connected in a battery, may be vented by a circuit loop vent. When lavatories or similar fixtures discharge above such branches, each vertical branch shall be provided with a continuous vent which may be connected to the circuit or loop of the battery. The circuit or loop vent of a battery drainage system shall be installed vertically in front of the last upstream fixture. In addition, lower floor branches serving more than three water closets shall be provided with a relief vent taken vertically in front of the first fixture connection. No more than eight (8) water closets may be connected to a battery drainage system. The fixture unit value for all fixtures shall be as listed in Tables 7-3 and 7-4 of the Uniform Plumbing Code. The horizontal branch for its full length to the furthest fixture shall be uniformly sized as listed in Table 7-5 of the Uniform Plumbing Code, based on the total number of fixtures. The vent battery drainage system shall be sized for a fixture unit demand of the battery system according to Table 7-5 of the Uniform Plumbing Code based on the total number of fixtures. The relief vent may be wet vented with a fixture drained vertically in the battery drainage system. Such vent shall be the same size as the circuit vent it intersects. All vents rise vertically to six (6) inches (152.4 mm) above the flood level of the highest fixture on the system.”

SECTION 19. Section 21.01.190 of the Code of the City of Wichita, is hereby created to read as follows:

“Media. Section 712.1 of the Uniform Plumbing Code is amended to read as follows: The piping of the plumbing, drainage, and venting systems shall be tested with water or air. The Authority Having Jurisdiction, as defined in the Uniform Plumbing Code, may require the removal of any cleanouts, etc., to ascertain whether the pressure has reached all parts of the system. When the temperature wherein the drainage system is located is above twenty degrees (20°) Fahrenheit, a water test as set forth in Section 712.2 may be made. After the plumbing fixtures have been set and their traps filled with water, they shall be submitted to a final test.”

SECTION 20. Section 21.01.200 of the Code of the City of Wichita, is hereby created to read as follows: Reserved.

SECTION 21. Section 21.01.210 of the Code of the City of Wichita, is hereby created to read as follows:

“Indirect Waste Receptors. Section 804.1 of the Uniform Plumbing Code is amended to read as follows: All plumbing fixtures or other receptors receiving the discharge of indirect waste pipes shall be approved for the use proposed and shall be of such shape and capacity as to prevent splashing or flooding and shall be located where they are readily accessible for inspection and cleaning. No indirect waste receptor shall be installed in any toilet rooms, closet, cupboard or storeroom., nor in any other portion of a building not in general use by the occupants thereof, except standpipes for clothes washers may be installed in toilet and bathroom areas when the clothes washers is installed in the same room. Clothes washers shall not be installed so as to discharge into

any gravity line higher than sixty (60) inches above its base. The clothes washer standpipe shall be a minimum length of eighteen (18) inches above the trap and the inlet of the standpipe no higher than sixty (60) inches above the floor. In any structure where drains are to be installed in or flush with the floor, they may be floor sinks, or floor drains and be readily accessible, provided floor drains used as indirect waste receptors shall meet the following requirements:

1. Have a reservoir capacity a minimum of four (4) inches in diameter and two (2) inches deep,
2. Have a perforated cover equal in area to the diameter of the drain,
3. Have a minimum trap and waste line size of two (2) inches in diameter, and
4. The indirect waste line shall maintain a two (2) inch air gap.

SECTION 22. Section 21.01.220 of the Code of the City of Wichita, is hereby created to read as follows:

“Wet Venting. Section 908.0 of the Uniform Plumbing Code is amended to read as follows: Groups of fixtures on the same floor may be wet or stack vented; provided that the maximum distance from the vent intersection with the waste or soil pipe to the dip of the trap shall be in accordance with Table 10-1.

A fixture may be wet vented when not more than one fixture unit wastes into a one and one-half (1 ½) inch diameter wet vent. Not more than four (4) fixture units shall waste into a two (2) inch diameter (excluding urinals) or nine (9) fixture units into three (3) inch or larger diameter wet vent. Excepting floor drains, no fixtures shall waste into such stack below the closet fixture opening without a proper vent. The limit of a horizontal wet vent shall be to (10) feet developed length.”

SECTION 23. Section 21.01.230 of the Code of the City of Wichita, is hereby created to read as follows:

“Table 10-1. of the Uniform Plumbing Code is amended to read as follows:

Table 10-1

Horizontal Distance of Trap Arms

(Except for water closets and similar fixtures)*

slope one fourth (1/4) inch per foot

Trap Arm		Distance Trap to Vent
Inches	Feet	Inches
1 ¼	2	6
1 ½	3	6
2	<u>6</u>	0
3	6	0
4 and larger	10	0

Provided that the distance for floor drains shall be within fifteen (15) feet of a ventilated line and the distance for bathtubs with one and one-half (1 ½) inch waste shall be within five (5) feet of a vent. For trap arms three (3) inches in diameter and larger, the change of direction shall not exceed one hundred and thirty-five (135) degrees without the use of a cleanout. The developed length between the trap of a water closet or similar fixture (measured from the top of the closet ring (flange) to inner edge of vent) and its vent shall not exceed six (6) feet.”

SECTION 24. Section 21.240 of the Code of the City of Wichita, is hereby created to read as follows:

“Rough Piping Inspection. Section 1204.3.1 of the Uniform Plumbing Code is amended to read as follows: This inspection shall be made after all gas piping authorized by the permit has been installed, and before any such piping has been covered or concealed, or any fixture or appliance has been attached thereto. This inspection shall include a determination that the gas piping size, material and installation meet the requirements of this Code.

When installing any gas opening for a future gas burning appliance in residential gas piping systems, it shall be sized and located according to the following requirements:

1. The future appliance shall be assigned a minimum fifty-five thousand (55,000) BTU value for sizing the gas distribution piping system;
 2. For future solid fuel burning fireplaces, the gas opening shall be run to within four (4) feet of the fire box and be controlled by an accessible approved shut-off valve outside the hearth and be properly capped or plugged;
 3. For future gas fired appliances, the gas opening shall be run to within three (3) feet of the appliance and be controlled by a readily accessible approved shut-off valve outside the hearth and be properly capped or plugged;
 4. The approved required shut-off valve shall be outside of each appliance or fireplace and ahead of the union connection and in addition to any valve on the appliance;
 5. When creating a new opening all gas piping must be tested; and
 6. When extending an existing gas opening, only that branch must be tested.
- When making a gas opening at the meter loop, only that branch must be tested.

Exception: When approved by the administrative authority, above procedures may be waived and a soap test administered.”

SECTION 25. Section 21.01.250 of the Code of the City of Wichita, is hereby created to read as follows: Reserved.

SECTION 26. Section 21.01.260 of the Code of the City of Wichita, is hereby created to read as follows:

“Gas Piping Above Ground and Above Roofs. Section 1211.2.1 of the Uniform Plumbing Code, is amended to read as follows:

All piping installed outdoors shall be elevated not less than three and one half (31/2) inches above grade and enter or exit the structure above the finish grade. Where installed across roof surfaces, shall be elevated not less than three and one-half (31/2) inches above the roof surface. Piping installed above ground, outdoors, and installed across the surface of roofs shall be securely supported and located where it will be protected from physical damage. Where passing through an outside wall, the piping shall also be protected against corrosion by coating or wrapping with an inert material approved for such applications. Where piping is encased in a protective pipe sleeve the annular space between the gas piping and the sleeve shall be sealed at the wall to prevent the entry of water, insects, or rodents. [NFPA 54: 6.2.1]”

SECTION 27. Section 21.02.010 of the Code of the City of Wichita, is hereby created to read as follows:

“Building Code Provisions. The provisions of Title 18 of the Code of the City of Wichita shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance removal

and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.”

SECTION 28. Section 21.02.020 of the Code of the City of Wichita, is hereby created to read as follows:

“**Electrical.** The provisions of Title 19 of the Code of the City of Wichita shall apply to the installation of electrical systems, including alterations, repairs, replacement equipment, appliances, fixtures, fittings and appurtenances thereto.”

SECTION 29. Section 21.02.030 of the Code of the City of Wichita, is hereby created to read as follows:

“**Mechanical.** The provisions of Title 22 of the Code of the City of Wichita shall apply to the installation of vents, combustion air, ventilation, mechanical systems, system components, equipment and appliances applied within HVAC systems”

SECTION 30. Section 21.02.040 of the Code of the City of Wichita, is hereby created to read as follows:

“**Fire Prevention.** The provisions of Title 15 of the Code of the City of Wichita shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire and explosion arising from storage, handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare in the occupancy of structures or premises; and from the construction, extension, repair, alteration or removal of fire suppression and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.”

SECTION 31. Section 21.02.050 of the Code of the City of Wichita, is hereby created to read as follows: Reserved.

SECTION 32. Section 21.02.060 of the Code of the City of Wichita, is hereby created to read as follows:

“Inspectors--Appointment; Duties Generally. One or more duly qualified plumbing inspectors shall be appointed by the City Manager. Under the direction and supervision of the Superintendent of Office of Central Inspection, such inspectors shall enforce the provisions of this Code, keep records, make reports and perform any other duties as are from the time to time imposed by the City Manager or the Superintendent of the Office of Central Inspection.”

SECTION 33. Section 21.02.070 of the Code of the City of Wichita, is hereby created to read as follows:

“Inspectors--Qualifications. All commercial plumbing inspectors shall have had a minimum of five (5) years of practical experience in this field as a Journeyman Plumber or Master Plumber and shall be duly certified pursuant to the requirements set forth by the Superintendent of the Office of Central Inspection. All combination inspectors shall be duly certified pursuant to the requirements set forth by the Superintendent of the Office of Central Inspection.”

SECTION 34. Section 21.02.080 of the Code of the City of Wichita, is hereby created to read as follows:

“Board of Appeals of Plumbers and Gas Fitters. (a) The Board shall act as a board of appeals in making a determination of any appeal arising from the actions of the administrative authority. Appeals shall be made in writing, and the appellant may appear

in person before the Board or be represented by an attorney, and may introduce evidence to support their claim. Appeals shall be submitted in writing at least ten (10) working days in advance of the Board meeting and the appeals shall be heard at reasonable times at the convenience of the Board, but not later than the next regular scheduled Board meeting. The appellant shall cause to be made at his own expense, any tests or research required by the Board to substantiate their claims.

(b) The Board shall, upon the request of the administrative authority, interpret sections of this Code, as adopted by reference herein, as to the approval of plumbing materials and methods allowed under this Code.

(c) Where conditions exist on any plumbing job which are not specifically provided for by this Code, or where it would be impracticable to follow its provisions, the Board may grant a variance from the strict application of the provisions of this Code. The person or persons desiring such variance shall submit all data and information necessary or as may be required by the Board to enable it to make its decision, and if after thorough study of the desired variance it determines that the granting of such request would not act in contravention to the welfare of the public, it shall have the authority to grant the variance.

(d) The Board may consider applications for the use of materials or methods of installation not specifically covered in this Code, or for a change in the grading or quality of materials or for a change in methods of installation as set forth in this Code and accept, modify, or reject the same as affording the same degree of safety, sanitation and performance as the materials or methods provided for herein. The Board may use established standards of nationally recognized laboratories and research organizations in making its determination to accept, modify, or reject the application. The applicant shall

submit to the Board all necessary information as may be required by the Board in order for it to make its determination, and any expense incurred for the payment of laboratory reports and tests shall be borne by the applicant. If, after a thorough study of the application and upon the basis of such study, it is determined that the public interest would be best served, would not be detrimental to the health and welfare of the public and would afford the same degree of safety and sanitation as elsewhere provided for in this Code, the Board may approve the application; or should it be determined that it is against public interest, would be detrimental to the health and welfare of the public, would not afford the same degree of safety and sanitation as elsewhere provided for in this Code, the Board shall deny the application.

(e) Appeal. Any person, official or governmental agency dissatisfied with any order or determination of the Board may appeal such order or determination to the city council. An appeal taken to the city council shall be on the record of the hearing before the Board and shall be in writing, and shall be filed with the city clerk and the administrative authority within ten (10) days of the date of the hearing before the Board. The basis for the appeal must be set forth in the written appeal that is served upon the city clerk and the administrative authority.

(f) Regulations and Membership of the Board. The Board shall be regulated by Title 2, sections 2.12.010 through 2.12.050, and any bylaws or rules of procedure set forth by the Board. The membership of the Board shall conform to the Charter Ordinance and the amendments thereto pertaining to the Board.”

SECTION 35. Section 21.02.090 of the code of the City of Wichita, is hereby created to read as follows:

“Definitions. Unless otherwise specified, the following terms, as used in this chapter, mean as follows:

'Apprentice' means an individual who works as an employee in training under the direct supervision of a Journeyman Plumber or Master Plumber. An apprentice is not a certified individual.

'Board' means that board appointed for Plumber's and Gas Fitters for the purpose of reviewing code interpretations taken by the building code enforcement division, granting variances from the code, reviewing license applications and license suspensions and revocation.

'Code' means Title 21 of the Code of the City of Wichita, as adopted, in its entirety.

'Direct supervision' means that the apprentice is limited to the same structure and/or building site as the journeyman or master plumber, except in the case of one- and two-family residential development, where the apprentice may be on the job site within five hundred (500) feet of where the journeyman or master is working.

'Field Experience.' means working under the direct supervision of a person having a valid Journeyman Plumber or Master Plumber certificate or attending trade related schooling. No more than one year of the requirement may be satisfied by trade related schooling. Schooling shall consist of a minimum of two hundred and forty (240) hours classroom training.

'Health Officer.' The health officer is the Director of Environmental Health or designee.

'Journeyman Gas Fitter' means a person who has been approved by the Office of Central Inspection showing that individual to be qualified to do gas piping, make repairs to gas

pipng systems or in any work at the trade of gas piping for a Licensed Contractor. That individual shall have a current certificate showing him or her to be so qualified.

'Journeyman Plumber' A journeyman plumber is a person who has been approved by the Office of Central Inspection showing that individual to be qualified to do plumbing or gas piping, venting work, work at the trade of plumbing and gas piping for a Licensed Contractor. That individual shall have a current certificate showing him or her to be so qualified. A Journeyman Plumber is deemed to be a Journeyman Gas Fitter, Journeyman Drain Layer, Journeyman Lawn Irrigation, Journeyman Sewer Cleaner and certified Water Conditioning Installer by definition.

'Licensed Contractor' means a person, firm, partnership, corporation, limited liability company, association or combination thereof, that has acquired a plumbing, gas fitter, lawn irrigation, drain laying, or certified Water Conditioning license from the City of Wichita, who undertakes or offers to undertake for another, for hire, the planning, laying out, supervising and installing or making additions, alterations, and repairs in the installation of plumbing, drains, gas fittings, lawn irrigation or plumbing systems.

'Licensed Trade' or 'trade' means the mechanical, electrical, plumbing or gas fitting trade, as the context of this Title may require.

'Master Gas Fitter' means a person who has been approved by the Office of Central Inspection showing that individual to be qualified to engage in the business of gas piping systems and who has a current certificate showing him or her to be so qualified.

'Master Plumber' means a person who has been approved by the Office of Central Inspection showing that individual to be qualified to engage in the business of plumbing and gas piping, the installation of plumbing and gas fixtures and appliances, and who has

a current certificate showing him or her to be so qualified. A Master Plumber is deemed to be a Master Gas Fitter, Master Drain Layer, Master Lawn Irrigation, Master Sewer Cleaner and Certified Water Conditioning installer by definition.

'Qualified Master' means an individual who holds a master certificate issued pursuant to this Title evidencing such person to be qualified to control and have authority of all technical work performed under the authority of the licensed contractor's enterprise, and assures quality control and is responsible for complying with all applicable laws, codes and regulations. An individual shall not be the Qualified Master for more than one licensed contractors enterprise unless such individual receives approval from the Superintendent of the Office of Central Inspection or an authorized representative thereof and approved by the Board.”

SECTION 36. Section 21.02.100 of the code of the City of Wichita, is hereby created to read as follows: Reserved.

SECTION 37. Section 21.02.110 of the code of the City of Wichita, is hereby created to read as follows:

“Apprentice Limitations. Apprentices shall be permitted to work when accompanied by and under the direct supervision of a Master or Journeyman Plumber, who shall be responsible for the plumbing work done by the Apprentice. There shall be a maximum of four (4) Apprentices per one Master or Journeyman Plumber. The on-site Master or Journeyman shall be responsible for maintaining the ratio of Master/Journeyman Plumbers to Apprentices as required by this section. If an Apprentice works without the required direct supervision, the Qualified Master, on-site Master or Journeyman Plumber, and/or the Apprentice may be held responsible for violation of this Title.”

SECTION 38. Section 21.02.120 of the code of the City of Wichita, is hereby created to read as follows:

“Applicant Requirements, Examinations; Issuance of Certificates. Any person desiring to engage in or work at the business of plumbing, plumbing repair, lawn irrigation, water conditioning, gas fitter, or to do such work, shall submit the prescribed application form to the Office of Central Inspection for a certificate, and if applicant meets the following requirements or is approved by the Board, shall at such time and place as directed be subjected to an examination as to their qualifications. The qualifications are as follows:

- a. A minimum score of seventy-five (75) percent on the "Block Examination" Master/Journeyman Plumbing Certificate, which is administered by Prometric, or
- b. A minimum score of seventy-five (75) percent on the International Code Council Examination for a Master/Journeyman Plumbing Certificate, which is administered by International Code Council, or
- c. A satisfactory score on any other standard examination to determine the qualification of a Master/Journeyman Plumbing that is approved and adopted by the state of Kansas, pursuant to state law, following the effective date of this Code.

Applicant requirements:

Journeyman Plumber: two (2) years documented Field Experience.

Master Plumber: two (2) years as Journeyman Plumber or four (4) years documented Field Experience.

Journeyman Gas Fitter: two (2) years documented Field Experience.

Master Gas Fitter: two (2) years as Journeyman Plumber or four (4) years documented Field Experience.

Journeyman Drain Layer: two (2) years documented Field Experience.

Master Drain Layer: two (2) years as Journeyman Plumber or four (4) years documented Field Experience.

Journeyman Lawn Irrigation: two (2) years documented Field Experience.

Master Lawn Irrigation: two (2) years as Journeyman Plumber or four (4) years documented Field Experience.

Note: For Journeyman Plumber requirements an applicant may use completion of a technical or trade related school for one (1) year of the required two (2). The training shall consist of a minimum of two hundred and forty (240) hours of classroom training.”

SECTION 39. Section 21.02.130 of the code of the City of Wichita, is hereby created to read as follows:

“Fees for Examination and Certificates, Renewing, and Continuing Education Requirements. (A) The fee for each examination and original certificate of a Master Plumber, Journeyman Plumber, Master Drain Layer, Journeyman Drain Layer, Master Lawn Irrigation, Journeyman Lawn Irrigation, Master Water Conditioning, certified Water Conditioning Installer, Master Gas Fitter or Journeyman Gas Fitter shall be established by the Superintendent of Central Inspection to cover the administrative costs of issuing such certificates. This fee shall be paid to the Office of Central Inspection when the application for a certificate is made. Individuals not holding a certificate at the beginning of the certificate cycle, who obtain a certificate during such certificate cycle by the standardized test required by K.S.A. 12-1508 and any amendments thereto, will be

issued the initial certificate without documentation of continuing education. Such certificate will be issued noting the test provider, specific test type and grade. Such test shall be completed during the certificate cycle. All such certificates shall expire on December 31st of each odd numbered year. The biennial fee for all certificates shall be established by the Superintendent of Central Inspection to cover the administrative cost of issuing such certificates. All such certificates shall be renewed biennially upon payment established by the Superintendent of the Office of Central Inspection to cover the administrative costs of issuing such certificates. All certificates shall expire on December 31st of each odd-numbered year and no reduction shall be made for part of the year being elapsed. Any holder of a certificate who fails to renew the same by March 1st after their expiration shall be required to submit one of the following: (1) Proof of completing a new examination in accordance with K.S.A. 12-1508 or proof of completing an additional one and one-half (1 1/2) hours of continuing education hours, pursuant to K.S.A. 12-1509, for each three (3) month period the renewal is late and only when the original certificate was issued pursuant to K.S.A. 12-1508. It is the total responsibility of the certificate holder to assure that his/her certificate has been renewed and is valid.

(B) Individuals passing the examination in the first year of a renewal cycle will need to provide documentation of twelve (12) hours of approved continuing education when renewing their certificate. Not less than six (6) hours shall consist of plumbing code education. The continuing education shall be attended during the certificate cycle. Individuals passing the examination in the second year of a renewal cycle will need to provide documentation of six (6) hours approved continuing education when renewing

their certificate. Not less than three (3) hours shall consist of plumbing code education. The continuing education shall be attended during the second year of the certificate cycle. Individuals with an active certificate that passed the examination prior to the first year of the renewal cycle must provide written proof of having completed biennially not less than twelve (12) hours of continuing education approved by the Office of Central Inspection. Not less than six (6) hours shall consist of plumbing code education. Continuing education shall be provided by the Office of Central Inspection or a nationally recognized trade association, community college, technical school, technical college or other provider approved by the Office of Central Inspection. All twelve (12) hours of education shall comply with the Office of Central Inspections continuing education guidelines for plumbing.”

SECTION 40. Section 21.02.140 of the code of the City of Wichita, is hereby created to read as follows:

“**Licenses.** (a) Any person engaging or desiring to engage in the business of plumbing, plumbing repair, drain laying, lawn irrigation, water conditioning, gas fitting or gas fitting repair shall, before obtaining any permit or transacting any business, obtain a license therefore from the Superintendent of Central Inspection, which license shall expire on December 31st of the year in which so issued. (b) License fees shall be: plumber's license: one hundred dollars (\$100.00); gas fitters license: one hundred dollars (\$100.00); drain laying license: one hundred dollars (\$100.00); lawn irrigation license: one hundred dollars (\$100.00); water conditioning license: one hundred dollars (\$100.00).”

SECTION 41. Section 21.02.150 of the code of the City of Wichita, is hereby created to read as follows: Reserved

SECTION 42. Section 21.02.160 of the code of the City of Wichita, is hereby created to read as follows:

“Certain Persons Exempt from License Requirements. Any person not engaged in the business of plumbing within the scope of this Code who has in his/her regular and permanent employment a person or persons who possess a current and valid journeyman or master plumbing certificate shall be permitted to have such person or persons perform maintenance and repair work, that does not require a permit, on buildings and premises that are owned, leased, operated or managed by him/her shall be exempt from this Code, as pertains to licenses but shall be subject to all other requirements pertaining to this Code.”

SECTION 43. Section 21.02.170 of the code of the City of Wichita, is hereby created to read as follows:

“Revocation of Certificates and Licenses. The Board is authorized to cancel and recall any certificate or license obtained in accordance with Title 21 for any or all of the following reasons:

1. Abandonment of any contract without legal cause;
2. Diversion of funds or property received for performance or completion of a specific contract, or for a specific purpose in the performance or completion of any contract, and the application or use for any other contract, obligation or purpose, or the failure, neglect

or refusal to use such funds or property for the performance or completion of such contract;

3. The committing of any act in violation of any provisions of this Code or the failure or refusal to comply with any lawful order of the administrative authority;

4. Misrepresentation of a material fact by the applicant in obtaining a license;

5. The failure of any such master plumber, master gas fitter, master drain layer, master lawn irrigation, master water conditioning, journeyman plumber, journeyman gas fitter, journeyman drain layer or journeyman lawn irrigation, journeyman water conditioning to fully satisfy all claims for labor and materials used in the performance of any work for which he has been engaged and for which he has been paid;

6. Use of a license to obtain permits for another;

7. Carelessness or negligence in providing safety measures for the protection of workmen and the public;

8. Failure to obtain permits or schedule required inspections;

9. Unreasonable delay in the performance and carrying out of any contract;

10. A Qualified Master who allows or permits an uncertified individual to engage in the business of plumbing, plumbing repair, lawn irrigation, water conditioning, or gas fitting;

11. Any person who installs, removes, alters, repairs or replaces or causes to be installed, removed, altered, repaired or replaced, any plumbing, gas or drainage piping work or

fixture or water heating or treating equipment in a building or premises without first obtaining the proper permit to do such work from the Office of Central Inspection.

12. Failure to obtain an excavation permit from the department of public works-engineering prior to performing any excavation work on public property, and said permit to be obtained in accordance with the terms of Chapter 10.20 of the Code of the City of Wichita, Kansas, or who fails to obtain a separate permit for each building or structure or for any additional work other than authorized in the permit,

13. A licensed contractor who allows another person, to do or cause to be done any work under a permit secured by said contractor except those persons in his employment.”

SECTION 44. Section 21.02.180 of the code of the City of Wichita, is hereby created to read as follows:

“Owner Occupants--Minor Repairs. Regardless of the requirements of other sections of this Title, the owner-occupant of a single-family dwelling may obtain permits to repair, replace, or maintain the existing plumbing systems in such single-family dwelling and the usual accessory buildings in connection with such dwelling; provided, however, that the owner-occupant shall perform all such work and that the work so performed is in accordance with this Code as verified by an inspection requested by such owner-occupant and performed by the Office of Central Inspection. No permit shall be required for minor repairs or alterations which do not exceed two hundred dollars (\$200.00) as the price charged for such work, but such work shall comply with all requirements of this Code.”

SECTION 45. Section 21.02.190 of the code of the City of Wichita, is hereby created to read as follows:

“Owner-Occupants Permit, Fee, Examination, and Requirements. The owner-occupant of a detached single-family dwelling occupied or to be occupied by the owner-occupant applying for the permit may be permitted to install plumbing systems in the main structure and accessory structures thereto provided all materials are purchased and all labor is performed by the applicant. Owner-occupants applying for permits for installations as outlined above shall first qualify themselves by successfully passing an open book examination dealing with relevant provisions of this Code. The fee for said examination shall be five dollars (\$5.00). Successful passage of the examination shall qualify the applicant for future permits until the time of adoption of another edition of the Code by the City of Wichita. Prior to permit approval, the applicant shall also submit a plan of the installation drawn in a format acceptable to and drawn in sufficient detail as to satisfy the Superintendent of the Office of Central Inspection of the overall Code compliance of the anticipated installation. Permit fees shall be as set forth elsewhere in this title and in Title 18 provided, however, that each additional inspection owing to detected Code deficiencies requiring correction shall be billed at the rate of forty dollars (\$40.00) each. Permits for installations in completely new residences and/or total remodel permits shall be limited to one (1) in three (3) years to each applicant unless a waiver is obtained, upon written application, from the Board.”

SECTION 46. Section 21.02.200 of the code of the City of Wichita, is hereby created to read as follows: Reserved

SECTION 47. Section 21.02.210 of the code of the City of Wichita, is hereby created to read as follows:

“Insurance Required. Every contractor under this Title shall procure and maintain a policy of general liability insurance covering the activities of the contractor while engaged in contracting hereunder. Such insurance policy shall be written with an insurance company licensed to do business in the state and shall have minimum limits of coverage of three hundred thousand dollars (\$300,00.00) per occurrence. In addition, every such contractor shall procure and maintain worker's compensation insurance as required by law and automobile liability insurance as required by law. Every contractor licensed under this Title shall, prior to the issuance of a license, file with the Office of Central Inspection certificates of insurance evidencing the insurance coverage specified herein. All such certificates shall indicate that the City of Wichita shall be given at least thirty (30) days advance written notice of any cancellation or material change in coverage of such insurance. Failure of a Licensed Contractor to either procure or maintain such insurance shall be a violation of law punishable as a general misdemeanor and shall be grounds for suspension or revocation of the Licensed Contractor's license and/or the Qualified Master's certificate.”

SECTION 48. Section 21.02.220 of the code of the City of Wichita, is hereby created to read as follows:

“Licensed Contractors--Established Place of Business Required.

Every Licensed Contractor who has obtained a license as set forth in this Code shall have and maintain an established place of business at a definite address and with his/her registered company name and Wichita license number displayed as it appears on his/her

license. Licensed Contractors operating out of their home must conform to the requirements set forth in Sec. IV-E of the Wichita-Sedgwick County Unified Zoning Code”

SECTION 49. Section 21.02.230 of the code of the City of Wichita, is hereby created to read as follows:

“Licensed Contractors--Marking of Vehicles. Any person, firm, or other legal entity required by this Title to obtain a Plumbing Contractor's license shall be subject to the following:

- (a) Vehicles used in performance of installations or service regulated under this Title shall display contractors permanent vehicle permit numbers. Such numbers shall be assigned by the Office of Central Inspection to a contractor duly licensed under the provisions of this Title,
- (b) Permanent vehicle permit numbers must be affixed to both sides of vehicle(s), in a conspicuous place, either by paint of a contrasting color or by the use of a permanent decal,
- (c) Permanent vehicle permit numbers must be a minimum of two (2) inches high with a one-half (1/2) inch wide stroke per character,
- (d) A contractor's employee(s) using their personal vehicles as transportation to or from the job site must display the permanent vehicle permit marking,
- (e) The contractor shall be responsible for removing the permanent vehicle permit number at the time any vehicle is taken out of service.

Violation of any provision of this section may result in a hearing before the Board. The Board may order any or all of the following:

1. No further plumbing or gas fitting permits shall be issued to the contractor until such time as the violation is abated,
2. All inspections of further work performed by the contractor will be suspended until such time as the violation is abated, excepting extreme hazard or life safety inspection or,
3. A license review, subjecting the contractor to possible suspension, recall or cancellation of the master certificate and/or license, in accordance with the provisions of Section 21.02.110 of the Code of the City of Wichita, Kansas.

Exception: If the contractor chooses to advertise his or her business on their vehicles and abides with Section 21.02.240, Truth in advertising requirements, then the above Section 21.02.230, Marking of vehicles, does not apply.”

SECTION 50. Section 21.02.240 of the code of the City of Wichita, is hereby created to read as follows:

“Truth in Advertising Requirements. (a) It is unlawful for any such person, firm or legal entity to advertise as a Licensed Contractor unless, at the time such advertisement occurs, such person, firm or corporation has a then valid contractor's license issued under the provisions of this chapter;

(b) Any advertisement by such person, firm or legal entity as a Licensed Contractor which is placed or published in any publication or other print medium circulated, displayed or distributed within the city limits or which is broadcast by radio or television or any internet posting/publication, electronic billboard, or any electronic or telephonic transmission of information, or any other means to persons within the city limits shall include the full name of the licensed person, firm or corporation and the license number assigned by the Office of Central Inspection to such person, firm or legal entity;

(c) As used herein, the words "advertise" or "advertisement" shall mean and include, but not be limited to, a business card, contract bid proposal form, printed letterhead, any other printed or written material, or any internet posting/publication, electronic billboard, or telephonic transmission of information, designed to inform persons of the services offered by the advertising person, firm or legal entity and to solicit business from such persons, or any broadcast statement designed to inform persons of the services offered by the advertising person, firm or legal entity and to solicit business from such persons. Such words are intended to include telephone directory display ads but not basic white and yellow page listings."

SECTION 51. This ordinance shall be included in the Code of the City of Wichita, Kansas, and shall be effective upon its passage and publication once in the official city paper.

PASSED by the governing body of the City of Wichita, Kansas, this 21st day of August 2012.

Carl Brewer, Mayor

ATTEST:

Karen Sublett, City Clerk

Approved as to Form:

Gary E. Rebenstorf, Director of Law: _____